

COUNTY COUNCIL OF FREDERICK COUNTY
MEETING MINUTES
Tuesday, February 2, 2021

Council Members M.C. Keegan-Ayer, President; Michael Blue, Vice-President, Jerry Donald, Kai Hagen, Jessica Fitzwater, Phil Dacey and Steve McKay were present for the meeting.

Also present were Ragen Cherney, Chief of Staff, County Council; Catherine Keller, Assistant County Attorney; Sarah Ambrosio, Recording Secretary; and Nancy Luna, Executive Assistant, County Council.

Council President M.C. Keegan-Ayer called the meeting to order at 5:30 p.m. virtually via video conference.

Opening Statement from Council President M.C. Keegan-Ayer

Good Evening and welcome to the virtual meeting of the Frederick County Council. Today is Tuesday, February 2, 2021, and it is a legislative day for the County Council.

The Frederick County Council is continuing to conduct our meetings on-line during this time and it seems this may be the way we will be holding our meetings for the foreseeable future due to concerns about the spread of the COVID virus.

Our meetings are televised on Frederick County Government Channel 19, on Frederick County Government's website: www.FrederickCountyMD.Gov/FCGTV, and while we are meeting virtually, we will continue to use our software program which allows the public to watch and participate in our meetings. Please go to www.frederickcountymd.gov/councilmeetings in order to watch us on that format.

You may still send us comments via email at: (Councilmembers@frederickcountymd.gov), or by calling our office line (301) 600-1135 and leaving a voicemail message. Or using our virtual format, you may call toll free 855-925-2801 and enter meeting code 8365 to listen to our meetings live and to give public comment. I will be giving instructions for how to give public comment before each portion of our meeting when public comment will be received. As always, all comments received will be reflected in the minutes.

As a reminder during these virtual meetings, I will periodically stop to allow the members to ask any questions in a round robin type fashion, calling the council members by name to make sure the public is aware of which member has the floor.

As a continued caution to our Council Members – Please be respectful of each other's time and wait to be recognized before you begin to speak. Remember the microphone issue and please limit your questions to one at a time. I will come back around as often as necessary until all questions are heard.

To begin our meeting, I will start with a roll call vote to determine a quorum. Just

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respond with “here”. Again, going in alphabetical order: CM Blue, Dacey, Donald, Fitzwater, Hagen, and McKay. A quorum having been established, we will begin our meeting.

The meeting began with a moment of silence followed by the Pledge of Allegiance.

Action on the Agenda

Council Member Michael Blue moved to approve the agenda as presented. Council Member Jessica Fitzwater seconded the motion that passed 7-0.

Council Members	Aye	Nay	Absent/ Abstain/ Present
District 1 – Donald	X		
District 2 – McKay	X		
District 4 – Fitzwater	X		
District 5 – Blue	X		
At-large – Dacey	X		
At-large – Hagen	X		
Presiding Officer – Keegan-Ayer	X		

Public Comment was heard from:

- None

Business Items:

Budget Adjustments

- J-21-190 – Housing & Community Development, Citizens Services Division
- J-21-191 – Finance & Accounting, Water & Sewer Utilities Division
- J-21-196 – Construction Management & Engineering, Public Works Division

Council Member Jessica Fitzwater moved to approve Budget Adjustments J-21-190, J-21-191, and J-21-196 as presented. Council Member Michael Blue seconded the motion that passed 7-0.

Council Members	Aye	Nay	Absent/ Abstain/ Present
District 1 – Donald	X		
District 2 – McKay	X		
District 4 – Fitzwater	X		
District 5 – Blue	X		
At-large – Dacey	X		
At-large – Hagen	X		

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Presiding Officer – Keegan-Ayer	X		
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Approval of Minutes from January 19, and January 26, 2021.

Council Member Jessica Fitzwater moved to approve the minutes from January 19, and January 26, 2021. Council Member Steve McKay seconded the motion that passed 7-0.

Council Members	Aye	Nay	Absent/ Abstain/ Present
District 1 – Donald	X		
District 2 – McKay	X		
District 4 – Fitzwater	X		
District 5 – Blue	X		
At-large – Dacey	X		
At-large – Hagen	X		
Presiding Officer – Keegan-Ayer	X		

Town of Emmitsburg Annexation - 16707 and 16715 Creamery Road

Kimberly Golden Brandt, Director, Livable Frederick Planning & Design Office, Planning & Permitting Division provided information to the Council on the Town of Emmitsburg Annexation – 16707 and 16715 Creamery Road.

Council Member Jessica Fitzwater moved to grant express approval of the Town of Emmitsburg Annexation – 16707 and 16715 Creamery Road. Council Member Steve McKay seconded the motion that passed 7-0.

Council Members	Aye	Nay	Absent/ Abstain/ Present
District 1 – Donald	X		
District 2 – McKay	X		
District 4 – Fitzwater	X		
District 5 – Blue	X		
At-large – Dacey	X		
At-large – Hagen	X		
Presiding Officer – Keegan-Ayer	X		

2020 Summer Cycle - Water and Sewer Plan Amendments

Kimberly Brandt, Director, and Tim Goodfellow, Environmental Planner, Livable Frederick Planning & Design Office, Planning & Permitting Division presented

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information to the Council on the 2020 Summer Cycle of Water and Sewerage Amendments.

Those that were giving testimony for this issue were sworn in by Council President M.C. Keegan-Ayer.

A public hearing was held, as duly advertised, on the 2020 Summer Cycle Water and Sewer Amendments.

WS 20-01

Public comment was heard from:

- None

Council Member Steve McKay moved to approve Water and Sewer Case WS 20-01 to reclassify the 9.4-acre property described above from the S-1 category to the S-5/Dev. category. Council Member Michael Blue seconded the motion that passed 7-0.

Council Members	Aye	Nay	Absent/ Abstain/ Present
District 1 – Donald	X		
District 2 – McKay	X		
District 4 – Fitzwater	X		
District 5 – Blue	X		
At-large – Dacey	X		
At-large – Hagen	X		
Presiding Officer – Keegan-Ayer	X		

WS 20-02

Public comment was heard from:

- None

Council Member Steve McKay moved to approve Water and Sewer Case WS 20-02 approval of the data and text additions to the Water and Sewerage Plan as listed in the March 31, 2020 letter from the Maryland Department of the Environment that approved and modified the 2019 Triennial Update of the Water and Sewerage Plan. Council Member Jessica Fitzwater seconded the motion that passed 7-0.

Council Members	Aye	Nay	Absent/ Abstain/ Present
District 1 – Donald	X		
District 2 – McKay	X		
District 4 – Fitzwater	X		
District 5 – Blue	X		

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At-large – Dacey	X		
At-large – Hagen	X		
Presiding Officer – Keegan-Ayer	X		

WS 20-04

Public comment was heard from:

- None

Council Member Steve McKay moved to approve Water and Sewer Case WS 20-04 to reclassify the 0.51-acre property described above from the W-5/Dev. category to the W-3/Dev. category. Council Member Jessica Fitzwater seconded the motion that passed 7-0.

Council Members	Aye	Nay	Absent/ Abstain/ Present
District 1 – Donald	X		
District 2 – McKay	X		
District 4 – Fitzwater	X		
District 5 – Blue	X		
At-large – Dacey	X		
At-large – Hagen	X		
Presiding Officer – Keegan-Ayer	X		

WS 20-06

Public comment was heard from:

- Jan Harding

Council Member Steve McKay moved to approve Water and Sewer Case WS 20-06 of the W-3/Dev. and S-3/Dev. categories for the approximately 49 acres of Section I situated on the east side of the proposed Willbrook Road extension, roughly bordered by Crown Point Drive, Silver Leaf Drive and White Ash Lane, including the 8.5-acre clubhouse Lot 1, north of Crown Point Drive and W-4/Dev. and S-4/Dev. categories be approved for the remaining 219 acres on Parcels 66 and 26 because the City's Master Plan approval status for subdivision projects lacks necessary and sufficient details on water and sewer service provision, lot configuration and project design, and that the City's Master Plan, in this case, is not a functionally-equivalent plan to the County's preliminary subdivision plan, site development plan, or Phase II Plan (for floating zoning districts) as required for the "3" classification per Chapter 1, Section IV, Paragraph B of the Water and Sewerage Plan. Council Member Phil Dacey seconded the motion that passed 6-0-1. Council Member Kai Hagen Abstained.

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Council Members	Aye	Nay	Absent/ Abstain/ Present
District 1 – Donald	X		
District 2 – McKay	X		
District 4 – Fitzwater	X		
District 5 – Blue	X		
At-large – Dacey	X		
At-large – Hagen			X
Presiding Officer – Keegan-Ayer	X		

Third Reading Calendar

Amended Bill No. 20-18 – Immigrant Affairs Commission

Council Member Jessica Fitzwater presented information on Amended Bill No. 20-18 – Immigrant Affairs Commission.

Council Member Jessica Fitzwater moved to approve Amended Bill No. 20-18 – Immigrant Affairs Commission. Council Member Kai Hagen seconded the motion that passed 6-1.

Council Members	Aye	Nay	Absent/ Abstain/ Present
District 1 – Donald	X		
District 2 – McKay	X		
District 4 – Fitzwater	X		
District 5 – Blue		X	
At-large – Dacey	X		
At-large – Hagen	X		
Presiding Officer – Keegan-Ayer	X		

Public Comment was heard from:

- Mary Posey

Council Member Comments:

Council Member comments were provided.

Adjourn

The meeting adjourned at 7:35 p.m.

M.C. Keegan-Ayer, President
County Council